

FILED

JAN 21 2011

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No. CR 10-00541-CW (DMR)
Plaintiff,)	
v.)	DETENTION ORDER
MUSTAFA RAHIM,)	
Defendant.)	

I. DETENTION ORDER

Defendant Mustafa Rahim is charged in an indictment with 18 U.S.C. §§ 111(a), 111(b) & 2 (assault on federal officer and aiding and abetting) and 18 U.S.C. § 1708 (possession of stolen mail). On January 21, 2011, the United States moved for Mr. Rahim's detention pursuant to 18 U.S.C. § 3142(f). Defense counsel noted that Mr. Rahim may be subject to state parole holds at this time. Mr. Rahim requested the preparation of a criminal record report, and waived the timing of his right to proffer information at a detention hearing, *see* 18 U.S.C. § 3142(f) (a defendant has the right at a section 3142(f) hearing, with the assistance of counsel, to testify, to present witnesses, to cross-examine adverse witnesses, and to present information by

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1 proffer or otherwise). As such, Defendant retains his right to raise any additional relevant
2 information at a later hearing.

3 After considering the limited information available to the Court, and the factors set forth
4 in 18 U.S.C. § 3142(g), the Court detains Mr. Rahim as a danger to the community and finds that
5 no condition or combination of conditions in 18 U.S.C. § 3142(c) will reasonably assure his
6 appearance in this case. *See* 18 U.S.C. §§ 3142(e) and (f); *United States v. Motamedi*, 767 F.2d
7 1403, 1406 (9th Cir. 1985).

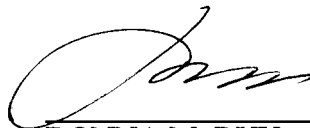
8 II. CONCLUSION

9 The Court detains Mr. Rahim as a danger to the community. Because Defendant waived
10 his right to present information under 18 U.S.C. § 3142(f) without prejudice to raising relevant
11 information at a later hearing, the Court orders that the hearing may be reopened at Defendant's
12 request at any future time.

13 Mr. Rahim shall remain committed to the custody of the Attorney General.

14 IT IS SO ORDERED.

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17 DATED: January 21, 2011



DONNA M. RYU
United States Magistrate Judge